

ZB# 98-13

Richard Coloni

48-1-3.1

#98-13-Coloni. Richard B.

Area 48-1-3.1

Prelim.

April 13, 1998.
Photos. et. sketch
Dad et. ds et 7/27/98.

Public Hearing:

May 11, 1998.

Area Variance

Approved

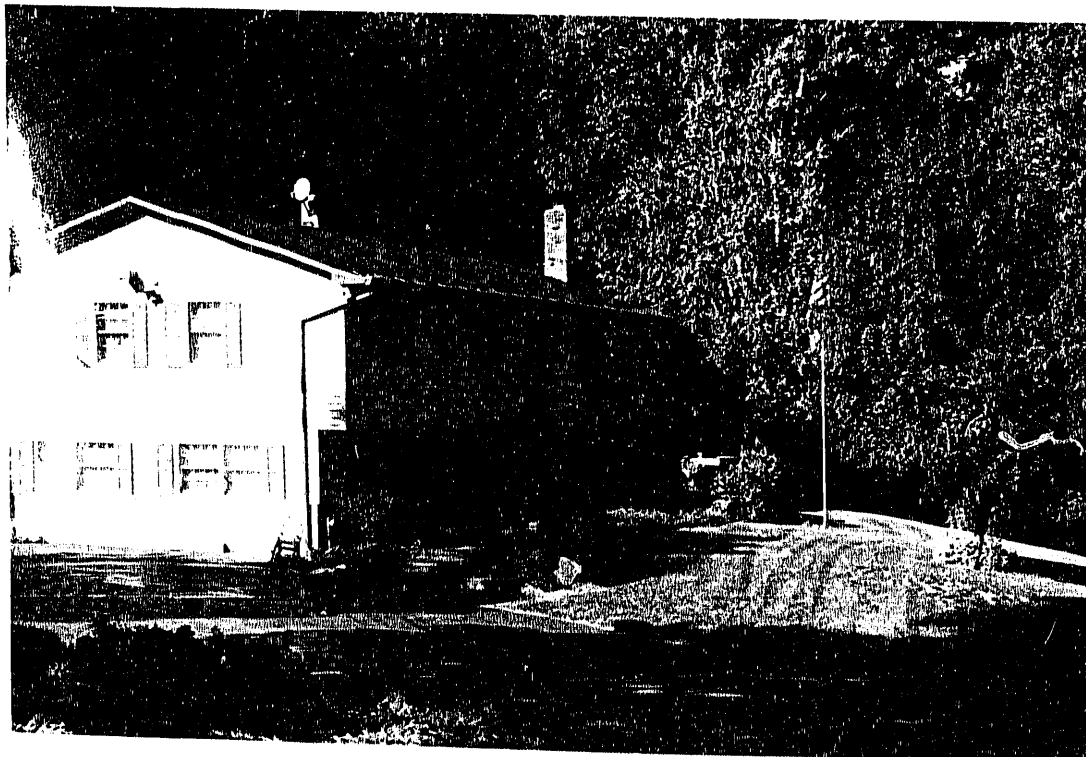
Refund: \$203.00

DATE April 27, 1998 RECEIPT 297671
 RECEIVED FROM Richard & Mary Colon
 Address Fifty and 00/100 DOLLARS \$ 50.00
 FOR Joining Boards 98-13

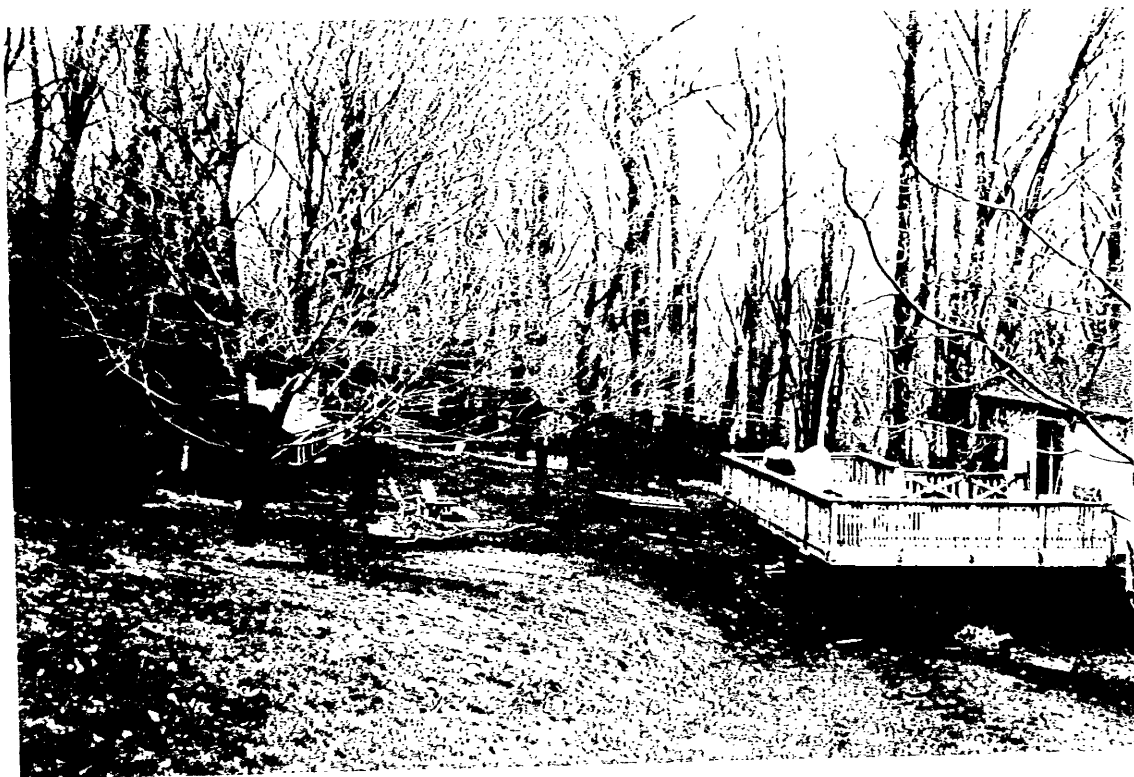
ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		<u>31442</u>	<u>50.00</u>
BALANCE DUE		MONEY ORDER	

Dorothy H. Hansen
 CS





#98-13-Coloni, Richard D,
Cura 48-1-3.1



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Coloni

FILE# 98-13

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid 4/27/98.
ck# 3142*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid 4/27/98 -
ck# 3143*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/13/98 - 3 \$ 13.50
2ND PRELIMINARY- PER PAGE 5/11/98 - 3 \$ 12.50
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 4/13/98 \$ 35.00
2ND PRELIM. 5/11/98 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING. \$
PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 97.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT . \$ 203.00

DATE	CLAIMED	ALLOWED
6/5	Refund - ZBA File # 98-13	\$203.00
<p>Patricia A. Bunker</p> <p>ZBA</p>		

RICHARD B. COLONI
MARY K. COLONI
367 WINDSOR HIGHWAY #501
NEW WINDSOR, NY 12553

FLEET BANK
OF NEW YORK
ALBANY, NY 12201
29-1/213

3143

4/27/98

Pay to the
Order of Town of New Windsor

\$ 300.-

Three hundred & 00/100

Dollars
Security features
included.
Details on back.

memo

Mary Kay Coloni

⑆003143⑆ ⑆021300019⑆ 93807 68353⑆

RICHARD B. COLONI
MARY K. COLONI
367 WINDSOR HIGHWAY #501
NEW WINDSOR, NY 12553

FLEET BANK
OF NEW YORK
ALBANY, NY 12201
29-1/213

3142

4/27/98

Pay to the
Order of Town of New Windsor

\$ 50.00

Fifty & 00/100

Dollars
Security features
included.
Details on back.

memo

Mary Kay Coloni

⑆003142⑆ ⑆021300019⑆ 93807 68353⑆

In the Matter of the Application of

RICHARD B. COLONI

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#98-12.

WHEREAS, RICHARD B. COLONI, residing at 3011 Route 9W, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 10 ft. front yard variance for an existing front deck and a 2 ft. rear yard variance for an existing rear deck located at the above residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 11th day of May, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant's wife and co-owner of the property appeared before the Board on her and her husband's behalf for this application; and

WHEREAS, no spectators appeared at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a one-family residence located in a mixed one-family and commercial area.

(b) The decks have been in place since approximately 1986.

(c) No complaints were received about the decks.

(d) For most of the year the decks are not visible from neighboring properties. They are only somewhat visible during the winter months.

(e) The decks are necessary for the health and safety of the occupants of the house since without them there would be a drop constituting a safety hazard between the exit from the house and the ground.

(f) The decks do not interfere with the course of drainage or the collection of water.

(g) The decks are not on top of any sewer or water easements, septic systems or wells.

(h) The decks have been carefully landscaped and are, therefore, are attractive and consistent with the neighborhood.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are not substantial in relation to the Town regulations.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 10 ft. front yard variance for an existing front deck and a 2 ft. rear yard variance for

an existing rear deck at the above residence, located in an R-4 zone as sought by the Applicants in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 22, 1998.

/s/ Lawrence Torley
Chairman

Date 5/16/98, 19...

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
160 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED		ALLOWED
5/16/98		Zoning Board Mtg	75	00	
		Misc - 2			
		Brpoy - 9			
		Waller - 3			
		Mid-Valley Oil - 3			
		Oakwood Terrace - 3			
		Coloni - 3 13.50			
		Ciccione - 4			
		Beddings - 4	139	50	
		31			
			214	50	

COLONI, RICHARD B.

Mrs. Coloni appeared before the board for this proposal.

MR. NUGENT: Request for 10 ft. Front yard variance for existing front deck and 2 ft. rear yard variance for existing rear deck located at 3011 Rt. 9W in an R-4 zone.

MS. BARNHART: Also 22 addressed letters went out to adjacent property owners.

MR. KRIEGER: Is there anybody in the audience who's interested in being heard on this particular application?

MR. NUGENT: Let the record show there's no one here.

MR. REIS: Any responses to the letters?

MS. BARNHART: No, no response, that's good.

MR. KANE: Front deck used to go in and out the front of the house?

MRS. COLONI: Yes without a front deck there would be a considerable drop between the doorway and the ground?

MRS. COLONI: Correct.

MR. KANE: This is the minimum size deck that you need to get that accomplished?

MRS. COLONI: Yes, it doesn't pose a detriment to the neighborhood, it's landscaped.

MR. KRIEGER: As a matter of fact, can this be seen from any other residence in the area?

MRS. COLONI: No, well, during the winter, you can see from 9W but at this time of year, it's really not visible, we have evergreen trees in the back with a back deck which provides privacy that goes all along the property line.

MR. REIS: How long has the deck been there?

MRS. COLONI: I believe since '86.

MR. KRIEGER: They don't interfere with any course of water drainage or create any ponding or accumulation of water?

MRS. COLONI: No, the ground is sloped from the front and it's terraced along the back.

MR. KRIEGER: And it's not over the top of any sewer or water easements?

MRS. COLONI: No.

MR. KRIEGER: Or septic systems or wells?

MRS. COLONI: No.

MR. KANE: It's not an overly large deck or anything that similar houses in the area wouldn't have?

MRS. COLONI: No, there is really no surrounding property, there's only one other neighbor that would see.

MR. NUGENT: Any further questions?

MR. REIS: Accept a motion?

MR. NUGENT: Accept a motion.

MR. REIS: I make a motion that we accept Mr. Coloni's request for a variance for his ten foot front yard and two foot rear yard.

MR. KANE: Second the motion.

ROLL CALL

MR. REIS	AYE
MR. TORLEY	AYE
MR. KANE	AYE

May 11, 1998

22

MR. NUGENT

AYE

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

*Prelim:
April 13, 1998.
② violations
98-13.*

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/24/98

APPLICANT: Richard Coloni
3011 RT. 9W
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/34/98

FOR : Existing front deck

LOCATED AT: 3011 RT. 9W

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 48-1-3.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing front deck has insufficient front yard set-back.


BUILDING INSPECTOR

PERMITTED 35

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 10-E

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

25'

10'

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

RECEIVED

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

MAY 17 1998

Inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not make an inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has failed and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

Excavating is complete and footing forms are in place (before pouring.)

Foundation inspection. Check here for waterproofing and footing drains.

Inspect gravel base under concrete floor and under slab plumbing.

Plumbing framing is completed and before it is covered from inside and plumbing rough-in.

Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time.

Water test required and engineer's certification letter for septic system required.

Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.

Fee charge for any site that calls for the inspection twice.

Permit number must be called in with each inspection.

There will be no inspections unless yellow permit card is posted.

New permits must be obtained along with building permits for new houses.

Septic permit must be submitted with engineer's drawing and percolation test.

Opening permits must be obtained from Town Clerk's office.

Building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises RICHARD B. & MARY CATHARINE COLON

3011 ROUTE 9W, NEW WINDSOR Phone 561-6593

Address 367 WINDSOR HWY #501, NEW WINDSOR

Architect _____

Phone _____

Contractor _____

Phone _____

Whether applicant is owner, lessee, agent, architect, engineer or builder _____

Is a corporation, signature of duly authorized officer: _____
(Name and title of corporate officer)

FOR OFFICE USE ONLY
Building Permit # _____

On what street is property located? On the N side of 9th
(N, S, E or W)
and _____ feet from the intersection of _____

Zone or use district in which premises are situated _____ Is property a flood zone? N

Tax Map Description: Section 48 Block 1 Lot 3.1

State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy A-1 b. Intended use and occupancy A-1

Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒

Is this a corner lot? N/O EXISTING 10x15 FRONT DECK

Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Tubs _____
Heating Plant Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____
If Garage, number of cars _____

If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

Estimated cost _____ Fee \$50

School District _____

Consent for the work described in the application for Building Permit is hereby given and shall be in full force and effect for the period of _____

1 / 19

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi,
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 364-4618 563-4618
(914) 363-4693 FAX

Eldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:

Planning Board ☐ Highway Dept ☐ Sewer ☐ Water ☐ Zoning Board of Appeals ☐

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

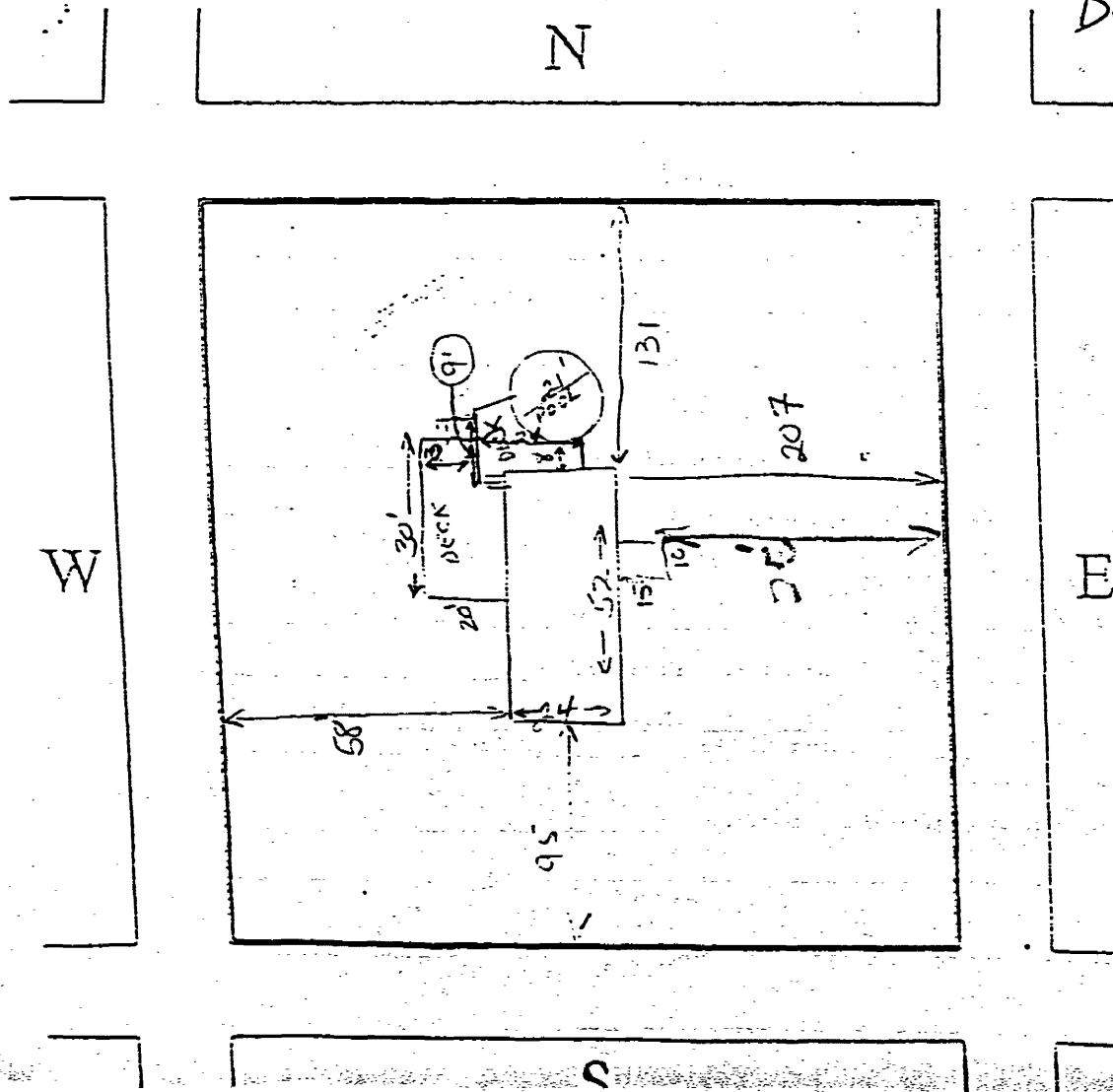
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

PLOT PLAN

NOTE:

Locate all buildings and indicate all setback dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawing.

EXISTING
DECK

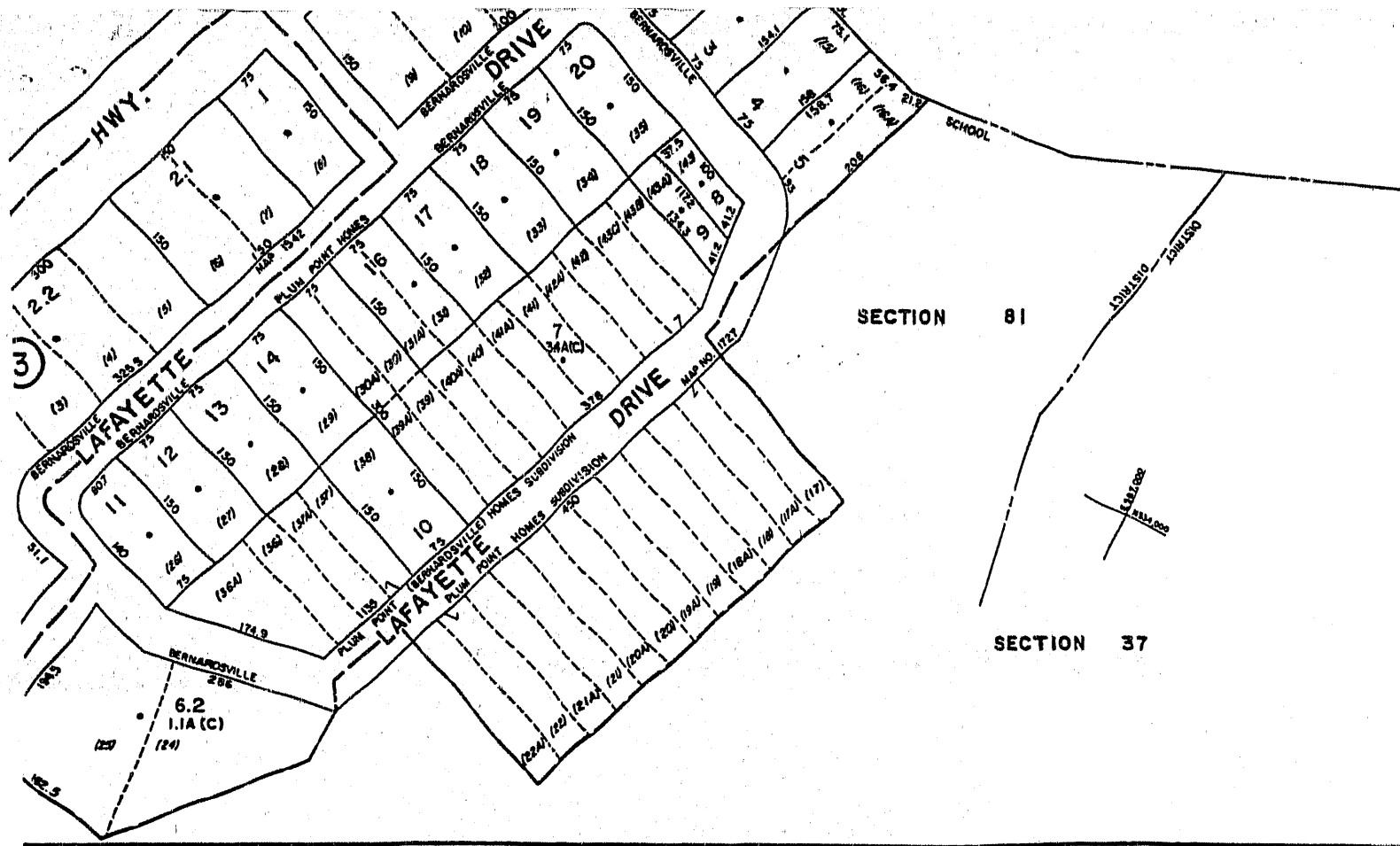


SECTION 27

SECTION 9

SECTION 81

SECTION 81



ED. PLAN BLOCK NO.	(2)	(2)
ED. PLAN LOT NO.	(12)	
STATE HIGHWAYS	N.Y. STATE HWY. NO. 17	
COUNTY HIGHWAYS	COUNTY HWY. NO. 4	
OTHER ROADS	OTHER NO. 1	

ORANGE COUNTY~NEW YORK

Photo No. 14-31,32,33

Date of Map: 9-24-67

Date of Photo: 3-1-65

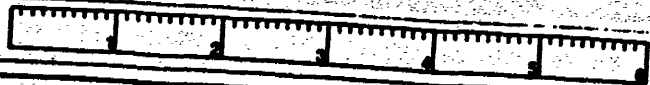
Date of Revision: 3-1-94

Scale: 1" = 100'

TOWN OF NEW WINDSOR

Section No. 48

TEK-DEM
1-800-345-7334

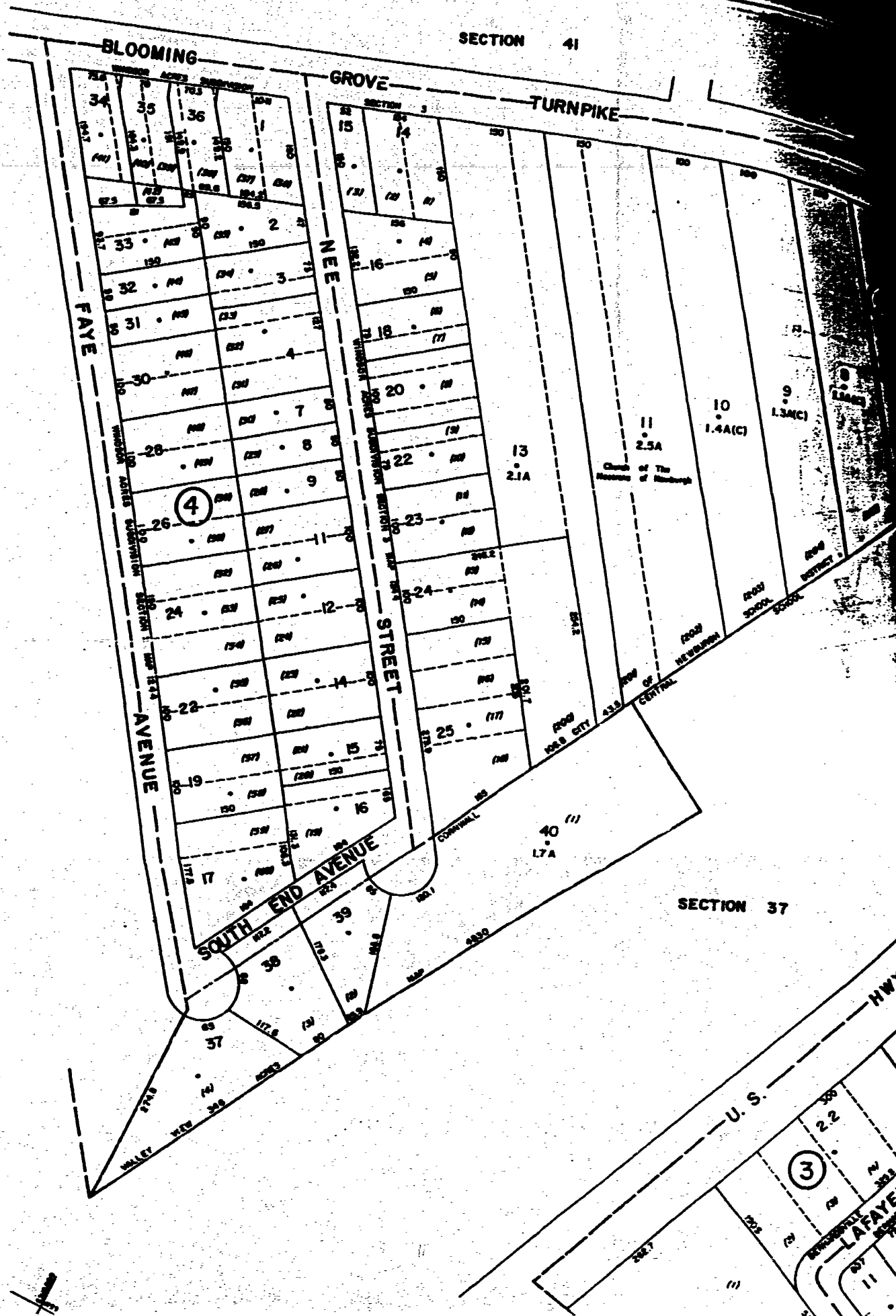


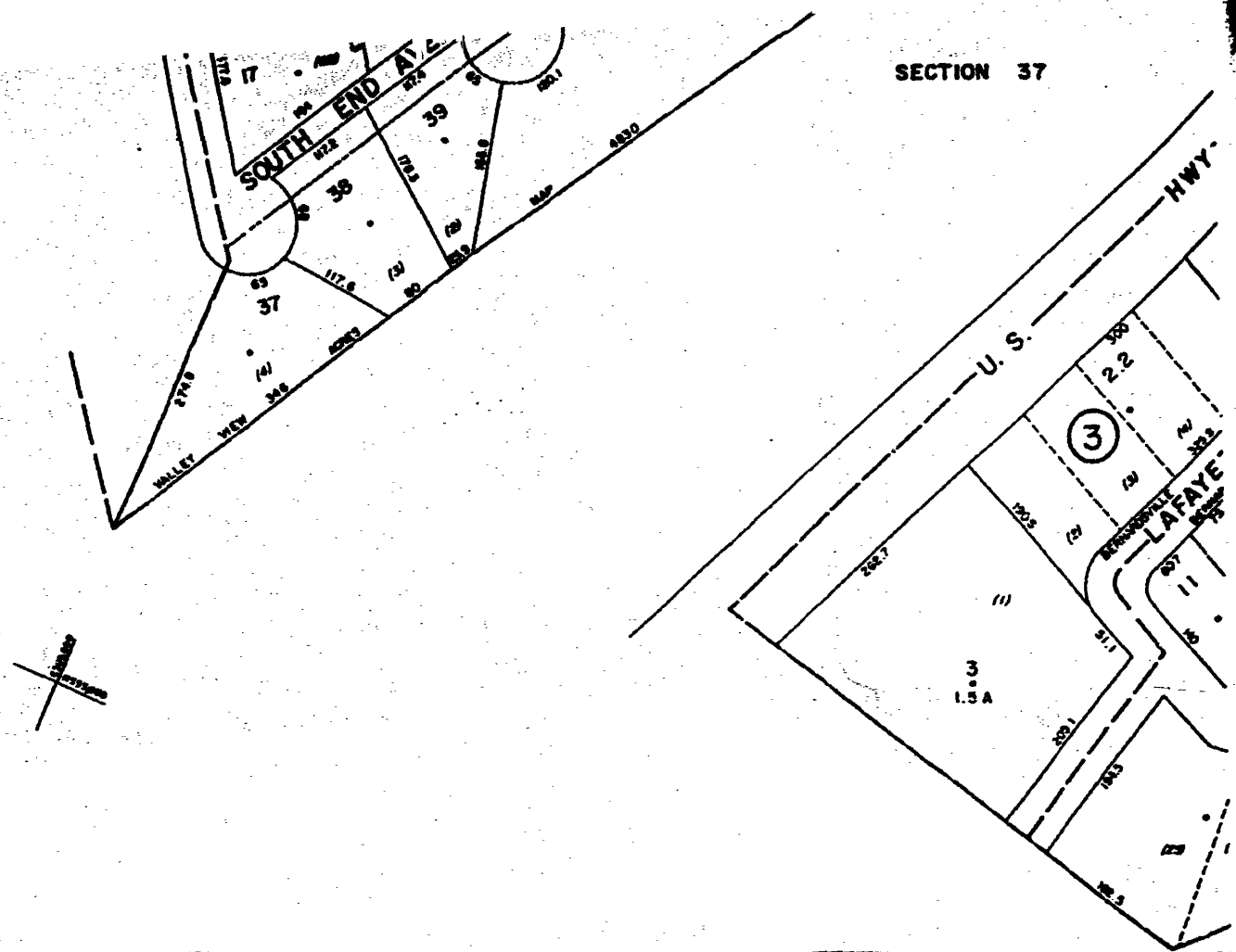
SCALE IS 1/100 OF AN INCH

SECTION 47

SECTION 41

SECTION 37





SECTION 37

Prepared by
 ORANGE CO. TAX MAP DEPT.
 2000 ST., ORANGE, N.Y. 13624
 1989
 FOR TAX PURPOSES ONLY
 TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR COUNTY LINE	PLAT PLAN LIST LINE	THE MAP BLOCK NO.	PLAT PLAN BLOCK NO.
CITY TOWN OR VILLAGE LINE	CONVEYANCE LINE	THE MAP PARCEL NO.	PLAT PLAN PARCEL NO.
BLACK & WHITE LINE	WATER LINE	AREAS (Shaded) H.A. (Unshaded) H.A.	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	SHADINGS (Shaded) no (Unshaded) yes	COUNTY HIGHWAYS
PROPERTY LINE	AND CONVEYANCE COVERS		TOWN ROADS

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/24/98

**APPLICANT: Richard Coloni
3011 Rt 9W
New Windsor, New York 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/24/98

FOR : Existing rear deck.

LOCATED AT: 3011 Rt 9W

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 48-1-3.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing rear deck enlargement has insufficient rear yard set-backs.**


BUILDING INSPECTOR

PERMITTED 40'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 10-~~G~~

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

38'

2'

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

RECEIVED

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

MAY 17 1998

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Department scheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

When excavating is complete and footing forms are in place (before pouring.)

Foundation inspection. Check here for waterproofing and footing drains.

Inspect gravel base under concrete floors and under slab plumbing.

When framing is completed and before it is covered from inside and plumbing rough-in.

Insulation.

Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time.

Well water test required and engineer's certification letter for septic system required.

Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.

\$50.00 charge for any site that calls for the inspection twice.

Permit number must be called in with each inspection.

There will be no inspections unless yellow permit card is posted.

Sewer permit must be obtained along with building permit for new houses.

Septic permit must be submitted with engineer's drawing and perc test.

Road opening permit must be obtained from Town Clerk's office.

All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

RICHARD B. & MARY CATHERINE COLON

Address

3011 ROUTE 9W, NEW WINDSOR

Phone 561-6593

Mailing Address

367 WINDSOR HWY #501, NEW WINDSOR

Name of Architect

Address

Phone

Name of Contractor

Address

Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder

owner

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the N side of 9th
(N, S, E or W)
and _____ feet from the intersection of _____
2. Zone or use district in which premises are situated - 4 Is property a flood zone? Y N
3. Tax Map Description: Section 48 Block 1 Lot 3.1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy A-1 b. Intended use and occupancy A-1
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒
6. Is this a corner lot? NO EXISTING Rear Deck Enlargement 30' x 20'
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Tubs _____
Heating Plant Gas _____ Oil _____ Electric Hot Air _____ Hot Water _____
If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost: _____ Fee \$ 50
(To be paid on this Application)
11. School District: _____

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the lot. If front yard shall contain any other work not included in the application, the cost of such work shall be added to the cost of the lot.

1 / 19

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi,
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 564-4638 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:

Planning Board ☐ Highway Dept ☐ Sewer ☐ Water ☐ Zoning Board of Appeals ☐

RESTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and covenants that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1999

Date 4/27/98, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
4/17/98		2BA Mtg (Demise Prounck)	75 00	
		Misc - 3		
		Bagarozzi - 4		
		Kreisberg - 4		
		Coloni - 3 13.50		
		Beddings - 18		
		Simon - 4		
		Miele - 6		
		42	189 00	
		<i>James H. Hight</i>	264 00	

COLONI, RICHARD B.

MR. NUGENT: Request for 10 ft. front yard variance for existing front deck and 2 ft. rear yard variance for existing rear deck located at 3011 Rt. 9W in an R-4 zone.

Mr. Richard Coloni and Mrs. Mary Kay Coloni appeared before the board for this proposal.

MR. KANE: Mr. Coloni, how long have the decks been up in existence?

MR. COLONI: 1982 for the rear. 1984 for the front.

MR. KANE: Permits were applied for at the time they were built?

MR. COLONI: The front, no. The rear was when the house was built.

MR. KANE: Okay.

MR. TORLEY: This is the house that's on the back corner of the funeral --

MR. COLONI: No, north

MR TORLEY: North.

MR. COLONI: Just adjacent to the old Fisher property.

MR. KANE: The front deck leads to the front door, you use that as a landing to get into your front?

MR. COLONI: Yes.

MR. NUGENT: It also goes to the driveway.

MR. KANE: Okay.

MR. TORLEY: You need that deck to safely get in and out of the house?

MR. COLONI: The front door of the house.

MR. KANE: The front property is on a slope going down?

MR. COLONI: Yes.

MR. KANE: Mike, all the footings have been checked on this?

MR. BABCOCK: I don't think we've been there yet. Actually, we were, excuse me, I'm sorry.

MR. COLONI: That was the process that brought us here.

MR. BABCOCK: I don't know that -- did we do an inspection there, Rich? I think we just went there and --

MR. COLONI: You said I had to come here first.

MR. KANE: Before they go out.

MR. BABCOCK: Yes.

MR. REIS: Rich, just for the record, this doesn't appear from the pictures that this impacts your neighbors in any way.

MR. COLONI: No, not at all. They're hundreds of feet away.

MR. KANE: No creation of any type of water hazards or runoff?

MR. COLONI: No.

MR. KANE: Did you do any extensive tree cutting or anything along that line to put up either deck?

MR. COLONI: No, none.

MR. KRIEGER: All the neighbors in the neighborhood have similar decks? Not identical.

MRS. COLONI: There's really no neighbors.

MR. COLONI: There are no neighbors that I even know.

MR. KANE: I have no further questions.

MR. NUGENT: Any further questions? I'll accept a motion.

MR. KANE: I move we set up Mr. Coloni for a public hearing for his requested variances.

April 13, 1998

12

MR. REIS: Second.

ROLL CALL

MS. OWEN	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. KRIEGER: Those are the criteria that the state has determined the zoning board of appeals must decided on. If you would address yourself to those criteria when you come back, it would be helpful.

MR. COLONI: Thank you.

Pls. publish immediately. Send bill to applicant at below address:

**PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 13

Request of Richard B. & Mary Catherine Coloni

for a VARIANCE of the Zoning Local Law to Permit:

existing front & rear deck. w/ insufficient front
& rear property;

being a VARIANCE of Section 48-12 Table of Use/Bulk Regs. Cols. E & G

for property situated as follows:

3011 Route 9W, New Windsor, N.Y.

known and designated as tax map Section 48, Blk. 1, Lot 3.1

SAID HEARING will take place on the 11th day of May, 1998, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Barnhart,
Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

98-13

Date: 4/26/98

I. ✓ Applicant Information:

- (a) Richard B. + Mary-Catherine Coloni, 3011 RTW, New Windsor 561-6593
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-9 3011 Route 9W 48-1-3.1 .7A
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NC
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 1981
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. E, G, to allow: _____
(Describe proposal) _____

N/A.

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes____ No____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48, Table of _____ Regs., Col. _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	<u>25</u>	<u>10</u>
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	<u>38</u>	<u>2</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

Re: Front Deck Variance of 10' - Adjacent front lot is owned by us and part of whole property 48-1-3.1 x 3.2.

Re: Rear deck variance of 2' Property is secluded; adjacent property wooded and poses no detriment nor has impact on adjacent properties.
(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A.

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (___) Denied (___)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC
HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF
APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

April 20, 1998

22

Mrs. Mary K. Coloni
3011 Route 9W
New Windsor, NY 12553

Re: Tax Map Parcel #48-1-3.1

Dear Mrs. Coloni:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's office.

Sincerely,

LESLIE COOK
Sole Assessor

/po
Attachments

~~CONFIDENTIAL~~

Crystal Run Village, Inc. X
601 Stony Ford Rd.
Middletown, NY 10941

Zampino, Rosemarie X
37 Madder Lake Circle
Commack, NY 11725

Torpey, Patrick J. & Susan F. X
c/o Cross
PO Box 57909
Salt Lake City, UT 84157

Eames, Douglas Harry & Grace L. +
29 Blooming Grove Tpke.
New Windsor, NY 12553

Sheffield, Martin & Mary P. X
33 Blooming Grove Tpke.
New Windsor, NY 12553

Marasco, Evelyn A. X
37 Blooming Grove Tpke.
New Windsor, NY 12553

Wright, Mary Ellen X
41 Blooming Grove Tpke.
New Windsor, NY 12553

Durham, Gary & Carol X
45 Blooming Grove Tpke.
New Windsor, NY 12553

ABH Corp. of NY X
2976 NYS Route 9W
New Windsor, NY 12553

Dori Associates, Inc. X
PO Box 4097
New Windsor, NY 12553

LaGuerra, Ernest J. & Ulma A. X
3009 Route 9W
New Windsor, NY 12553

Petro Realty of New York, Inc. X
2989 NYS Route 9W
New Windsor, NY 12553

Millman, Walter S. M. & Jeanne A. X
38 Blooming Grove Tpke.
New Windsor, NY 12553

Longo, Steven X
40 Blooming Grove Tpke.
New Windsor, NY 12553

Quicksell, James B. & Joanne X
46 Blooming Grove Tpke.
New Windsor, NY 12553

Casaccio, Paul & Virginia X
6 Barclay Rd.
New Windsor, NY 12553

Schutzman, Lisa Lagueras X
4 Barclay Rd.
New Windsor, NY 12553

Green, George A. & Deborah A. X
2 Barclay Rd.
New Windsor, NY 12553

Accettura, Joseph & Fawn X
1 Farmstead Rd.
New Windsor, NY 12553

Herron, William E. & Debra M. X
3 Farmstead Rd.
New Windsor, NY 12553

Fischer, Susan & Mark J. X
3117 Worthington Circle
Falls Church, VA 22044

Plum Point Interstate Property Management X
2 Carpenter Place
Monroe, NY 10950

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK FM

*Richard Brian Colon
Mary Catherine Colon*

*TO
Richard Brian Colon
Mary Catherine Colon*

SECTION 48 BLOCK 1 LOT 3.1 & 3.2

RECORD AND RETURN TO:

(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

*Edward T. Sunkin, P.C.
14 Fair Street
Hempstead, NY 11552*

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)	4289 MONTICARY (TN)
2001 WASHINGTONVILLE (VLG)	4201 MAYBROOK (VLG)
2289 CHESTER (TN)	4203 MONTICARY (VLG)
2201 CHESTER (VLG)	4205 MILDEN (VLG)
2489 CORNWALL (TN)	4489 MOUNT HOME (TN)
2401 CORNWALL (VLG)	4401 OTTISVILLE (VLG)
2600 CRAWFORD (TN)	4600 NEWBURGH (TN)
2800 DEER PARK (TN)	4800 NEW HAVENBOR (TN)
3089 GOSHEN (TN)	5089 TOWNSEND (TN)
3001 GOSHEN (VLG)	5001 TUXEDO PARK (VLG)
3003 FLORIDA (VLG)	5200 VAN LICK (TN)
3005 CHESTER (VLG)	5489 VANWICK (TN)
3200 GREENVILLE (TN)	5401 FLORIDA (VLG)
3489 HAMPTONBURGH (TN)	5403 GREENWOOD LAKE (VLG)
3401 MAYBROOK (VLG)	5405 HARTWICK (VLG)
3689 HIGHLANDS (TN)	5600 VANWICK (TN)
3601 HIGHLAND FALLS (VLG)	5889 WOODLAWN (TN)
3889 MINISINK (TN)	5801 HARRIMAN (VLG)
3801 UNIONVILLE (VLG)	
4089 MONROE (TN)	
4001 MONROE (VLG)	
4003 HARRIMAN (VLG)	
4005 KIRYAS JOEL (VLG)	

NO. PAGES 3 CROSS REF
CERT. COPY AFF. FILED

PAYMENT TYPE: CHECK ☒
CASH
CHARGE
NO FEE

CONSIDERATION \$ 0
TAX EXEMPT

MORTGAGE AMT \$
DATE

MORTGAGE TYPE:
 (A) COMMERCIAL
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000.
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT. PERSON OR UNION
 (J) NAT. PER. CR. UN. OR 2
 (K) CONDO

Joan A. Macchi

JOAN A. MACCHI
Orange County Clerk

RECEIVED FROM: *E. Hunter*

11/14/319 Page 206

ORANGE COUNTY CLERK'S OFFICE 57405 N.R.L.
RECORDED/FILED 12/26/95 04:03:37 PM

FEES: 44.00 EDUCATION FUND 5.00
SERIAL NUMBER: 003858
RECORDED NO 63284 RE TAX .00

CONFIRMATORY DEED

BARGAIN AND SALE WITH COVENANT AGAINST GRANTOR'S ACTS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT. THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 12th day of May, 1995, nineteen hundred and ninety-five BETWEEN

**RICHARD BRIAN COLONI (a/k/a: Richard B. Coloni; Richard Coloni)
and MARY CATHERINE COLONI (a/k/a: Mary C. Coloni; Mary Coloni)
being husband and wife and residing at U.S. Highway 9W
New Windsor, New York 12553**

party of the first part,

**RICHARD BRIAN COLONI (a/k/a: Richard B. Coloni; Richard Coloni)
and MARY CATHERINE COLONI (a/k/a: Mary C. Coloni; Mary Coloni)
being husband and wife and residing at U.S. Highway 9W
New Windsor, New York 12553**

party of the second part,

WITNESSETH, that the party of the first part, **ALSO BEING THE PARTY OF THE SECOND PART**, in consideration of ~~NO CONSIDERATION~~ paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

PARCEL A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the TOWN of New Windsor, COUNTY of Orange and the STATE of New York, being more particularly described in a certain deed reflecting Richard Brian Coloni and Mary Catherine Coloni, as Grantees, which instrument was recorded in Liber 0228, pp. 9-11, in the Office of the Clerk of the County of Orange. Said Premises are known and designated as Tax Map No. 48-1-3.1.

AND

PARCEL B

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the TOWN of New Windsor, COUNTY of Orange and the STATE of New York, being more particularly described in a certain deed from Dori Associates, Inc. to Richard Coloni and Mary Coloni, husband and wife, which deed is intended to be recorded immediately prior to the recording of this instrument, in the Office of the Clerk of the County of Orange. Said Premises are known and designated as Tax Map No. 48-1-3.2

SAID PARCEL A and PARCEL B together being described as follows:

BEGINNING at a point on the westerly line of Route No. 9W, said point being the intersection of the westerly line of said Route 9W with the southerly line of lands of Lot No. 221 as shown on a certain map entitled, "Map of Windsor Acres, Section 2, Lands of A. L. N. Realty Co." and recorded in the Orange County Clerk's Office as Map No. 1158; and **RUNNING THENCE** along the westerly line of said Route 9W, South 17° 37' 30" West 293.33 feet to a point; **THENCE** leaving said line and running along the southerly line of other lands of Lot No. 216, as shown on said Map No. 1158, North 55° 09' 00" West 422.50 feet to a point on the southeasterly line of lands of Lot No. 208 as shown on said Map No. 1158; **THENCE** leaving said line and running along the southeasterly line of land of said Lot No. 208, along the southerly and southeasterly lines of lands of Lot No. 209 and along the southeasterly line of lands of Lot No. 210 and 211, as shown on said Map No. 1158, the following: North 36° 44' 00" East 21.00 feet to a point; thence 55° 09' 00" East 48.87 feet to a point; **THENCE** North 43° 37' 00" East 262.34 feet to a point; thence leaving said line and running along the southerly line of lands of the aforesaid Lot No. 221, South 54° 45' 30" East 241.23 feet to the point of **BEGINNING**, containing 87,250 square feet of land, be the same more or less.

SUBJECT TO A 20-foot wide Sewer Line Easement bounded and described as follows:

Beginning at a point on the westerly line of Route 9W, said point being distant north 17° 37' 30" East 25.00 feet from the intersection of the westerly line of said Route No. 9W with the southerly line of lands of Lot No. 216 as shown on a certain map entitled, "Map of Windsor Acres, Section 2, Lands of A. L. N. Realty Co." and recorded in the Orange County Clerk's Office as Map No. 1158; and running thence over and through lands of the above herein described parcel, North 64° 02' 40" West 154.45 feet to a point on the southerly boundary of the above herein described parcel; thence along the southerly boundary of the above herein described parcel, North 55° 09' 00" West 55.98 feet to a point; thence leaving said line and running over and through lands of the above herein described parcel, South 64° 02' 40" East 135.79 feet to a point on the westerly line of aforesaid Route No. 9W; thence leaving said line and running along the westerly line of said Route No. 9W, South 17° 37' 30" West 20.27 feet to the point of Beginning.

SUBJECT TO a 20-foot wide Water Line Easement running over and through the above herein described parcel, said 20-foot wide Water Line Easement is bounded and described as follows:

Beginning at a point on the southerly line of lands of the above herein described parcel, said point being distant South 55° 09' 00" East 22.23 feet from the intersection of the southerly line of lands of Lot No. 216 with the southeasterly line of lands of Lot No. 208 as shown on a certain map entitled, "Map of Windsor Acres, Section 2, Lands of A. L. N. Realty Co." and recorded in the Orange County Clerk's Office as Map No. 1129; and running thence over and through lands of the above herein described parcel, the following: North 43° 37' 00" East 165.00 feet to a point; thence South 29° 51' 20" East 20.88 feet to a point; thence South 43° 37' 00" West 156.00 feet to a point on the southerly line of lands of the above herein described parcel; thence along the southerly line of lands of the above herein described parcel, South 55° 09' 00" West 20.23 feet to the point of beginning.

SUBJECT TO a 25-foot wide grading and Right-of-Way over and through the above herein described parcel; said 25-foot wide easement being bounded and described as follows:

Beginning at a point on the westerly line of Route 9W, said point being the intersection of the westerly line of said Route 9W with the southerly line of lands of Lot No. 216 as shown on a certain map entitled, "Map of Windsor Acres, Section 2, Lands of A. L. N. Realty Co." and recorded in the Orange County Clerk's Office as Map No. 1129; and running thence along the southerly line of lands of the above herein described parcel, North 55° 09' 00" West 231.60 feet to a point; thence leaving said line and running over and through lands of the above herein described parcel, the following: North 35° 14' 13" East 25.00 feet to a point; thence South 55° 09' 00" East 223.68 feet to a point on the westerly line of said Route 9W; thence leaving said line and running along the westerly line of said Route No. 9W, South 17° 37' 30" West 26.17 feet to the point of BEGINNING.

TOGETHER WITH Rights-of-Way over and through part of Dori Associates, Inc. [Liber 1610, cp 740]; said Rights-of-Way are over the existing traveled way areas and are for the purpose of ingress and egress, to and from the above herein described parcel to Route No. 9W.

SUBJECT TO the rights of public utilities, of record.

4319 PAGE 208

THIS DEED IS RECORDED FOR THE FOLLOWING PURPOSES:

- (1) TO CONFIRM OWNERSHIP OF THE ABOVE DESCRIBED CONTIGUOUS PARCELS OF REAL PROPERTY, BY RICHARD BRIAN COLONI [a/k/a: Richard B. Coloni; Richard Coloni] and MARY CATHERINE COLONI [a/k/a: Mary C. Coloni; Mary Coloni] being husband and wife;
- (2) TO PROVIDE A METES AND BOUNDS DESCRIPTION OF THE COMBINED PARCELS; and
- (3) TO MERGE TAX MAP NUMBERS 48-1-3.1 AND 48-1-3.2 INTO A SINGLE TAX MAP NUMBER.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the part of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


RICHARD BRIAN COLONI


MARY CATHERINE COLONI

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Edward I. Sumber

DORI ASSOCIATES, INC.

By: *Richard V. Coloni*

Richard V. Coloni, President

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument and acknowledged that executed same.

Notary Public

STATE OF NEW YORK, COUNTY OF NEW YORK

On the 30th day of December, 1995, before me personally came RICHARD V. COLONI, to me known, who, being by me duly sworn did depose and say that he resides at No. Route 9W, New Windsor, New York 12553; that he is the President of DORI ASSOCIATES, INC., the corporation described in and which executed the foregoing instrument, that he knows the seal of said corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the board of directors of said corporation, and the he signed his name thereto by like order.

Edward I. Sumber
Notary Public
EDWARD I. SUMBER
Notary Public, State of New York
Qualified in Putnam County
#9246975
Commission Expires April 30, 1998

**BARGAIN AND SALE DEED
WITH COVENANTS AGAINST GRANTOR'S
ACTS**

DORI ASSOCIATES, INC.

to

RICHARD BRIAN COLONI

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed same.

Notary Public

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came to me know, who, being by me duly sworn, did depose and say that he resides at No.

; that he is the of the corporation described in and which executed the foregoing instrument, that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the board of directors of said corporation, and the he signed his name thereto by like order.

Notary Public

Section 37

Block 1

Lot 51

Town of New Windsor
County of Orange

Record and Return To:

Edward I. Sumber, Esq.
Edward I. Sumber, P.C.
16A Fair Street
Carmel, New York 10512
(914) 225-1100

19954322 171

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**